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FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

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JUN 29 2005

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**MR. DEPUTY**

Attorneys for Defendant

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF WASHINGTON AT SPOKANE

**WILLIAM UHLENKOTT,  
an individual,**

**Plaintiff.**

v.

**ENDOT INDUSTRIES, INC.,**  
a New Jersey corporation,

**Defendant.**

Case No. CV-03-0038-FVS

## FINAL JUDGMENT ON CONSENT

Plaintiff William Uhlenkott (“Uhlenkott”) brought suit for Patent Infringement, accusing Defendant Endot Industries, Inc. (“Endot”) infringing Uhlenkott’s patents, U.S. Patent Nos. 6,302,213 (“the ‘213 patent”), issued October 16, 2001, and 6,513,597 (“the ‘597 patent”), issued February 4, 2003, in violation of patent laws of the United States, Title 35 U.S.C. § 1 *et. seq.*

## FINAL JUDGMENT ON CONSENT – 1

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1       The parties having settled their differences by mediation before the Hon.  
 2       Judge Michael W. Leavitt on June 29, 2005, which settlement is memorialized  
 3       herein, therefore, JUDGMENT IS ENTERED as follows:

4       1. This Court has jurisdiction over the subject matter of this action  
 5       and over the parties;

6       2. The '213 patent and '597 patent are valid and enforceable.

7       3. Endot, its successors and assigns, its agents, servants, employees,  
 8       officers, directors, principals and any other persons in active concert or  
 9       participation with Endot are permanently enjoined from making, using, selling  
 10      or offering to sell any product under any name or stock number that infringes  
 11      the '213 patent or the '597 patent, from contributing to the infringement of the  
 12      '213 patent or the '597 patent, or from inducing others to infringe the '213      <sup>ab. 21.</sup>  
 13      Endot represents it has engaged in no such  
 14      patent or the '597 patent. activities since 2/28/05.

15      4. As compensation to Uhlenkott for Endot's past infringement of the  
 16      inventions of the '213 patent and '597 patent, Uhlenkott shall have a judgment  
 17      against Endot for damages, enhanced damages, and attorney fees and costs, and  
 18      Endot shall pay Uhlenkott the sum of ~~\$240,000.\*\*~~ ~~\$237,500\*~~, which judgment  
 19      shall accrue interest at the statutory rate until paid in full.

20      5. The claims of the Defendant are dismissed with prejudice.

21      6. The parties consent to the entry of this Final Judgment on Consent  
 22      in the form set forth herein.

23      ~~100,000 in ten business days;~~  
 24      ~~140,000 over 18 months in 6 quarterly payments of \$23,333.33, and~~  
 25      ~~one final payment of \$77,500.~~ (July 11, 2005)  
 26      \*\* 100,000 in ten business days;  
 27      140,000 over 18 months in 6 quarterly payments of \$23,333.33, due on  
 28      October 10, 2005 and

29      quarterly thereafter - (on 10/10/05, 1/9/06, Chernoff, Vilhauer, McClung &  
 30      interest at 10% on late 4/10/06, Stenzel, LLP  
 31      payments after 10 day 7/10/06, 1600 ODS Tower  
 32      grace period. 10/9/06, and 1/8/07) 101 S.W. Second Avenue  
 33      Portland, OR 97204-3157

7. The Court retains jurisdiction over this matter and the parties for the purpose of enforcing this Final Judgment on Consent.

3 DATED this 29<sup>th</sup> day of June, 2005.

  
Michael W. Leavitt

CHERNOFF, VILHAUER, McCLUNG  
& STENZEL, LLP

So Stipulated:

By Susan D. Pitchford  
Susan D. Pitchford, WSBA No. 26259  
Of Attorneys for Plaintiff

William Uhlenkott  
William Uhlenkott,  
Plaintiff

FOSTER PEPPER & SHEFELMAN PLLC

So Stipulated

By S. S. S.  
John R. Nelson, WSBA No. 16393  
Of Attorneys for Defendant

~~Jennifer Mairin, President  
for Defendant  
Endot.~~

## **FINAL JUDGMENT ON CONSENT – 3**

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